

Message Text

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ACTION DLOS-05

INFO OCT-01 EUR-12 IO-10 ISO-00 OFA-01 OIC-02 AF-06 ARA-06

EA-06 NEA-09 FEA-01 ACDA-05 AGR-05 AID-05 CEA-01

CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00 DODE-00 DOTE-00

EB-07 EPA-01 ERDA-05 FEAE-00 FMC-01 H-02 INR-07

INT-05 JUSE-00 L-02 NSAE-00 NSC-05 NSF-01 OES-03

OMB-01 PA-01 PM-03 PRS-01 SP-02 SS-15 USIA-06 TRSE-00

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INFO AMEMBASSY PARIS

C O N F I D E N T I A L GENEVA 3404

C O R R E C T E D C O P Y (MRN 3404 VICE 31)

FROM USDEL LOS

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS: EXCHANGE OF VIEW WITH FRENCH DEL ON CI AND OTHER ISSUES

1. ON MAY 8, 1975, THE FRENCH CI REP ASKED IF THE US CI REP COULD MEET WITH THE HEAD OF HER DEL CONCERNING SOME FRENCH IDEAS WITH RESPECT TO THE NEXT PHASE OF LOS ACTIVITY. PRESENT AT THE MEETING WERE GUY DE LACHERIERRE, HEAD OF THE FRENCH DEL, ROGER JEANNEL, MARIE-ANNIC MARTIN-SANE AND US CI REP RATINER.

2. DE LACHERIERRE OPENED THE CONVERSATION WITH A LENGTHY ATTACK ON INTERNATIONAL ORGANIZATIONS IN GENERAL
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AND IN PARTICULAR THE ATTEMPT TO ESTABLISH QTE A GLOBAL PARLIAMENT UNQTE FOR THE DEEP SEABED IN CI. THE

KEY POINT OF HIS STATEMENT WAS THAT EVEN IF IT WERE POSSIBLE TO OBTAIN A SATISFACTORY TREATY IN CI, IT WOULD BE VIOLATED BY THE DEVELOPING COUNTRIES IN PRACTICE AND, THEREFORE, IT WOULD BE IMPOSSIBLE TO PROTECT THE INTERESTS OF THE US AND FRENCH NO MATTER WHAT THE TREATY SAID. HE WENT ON TO INDICATE THAT IN HIS VIEW THE BETTER APPROACH TO THE LOS WOULD BE TO NEGOTIATE LIMITED MEMBERSHIP TREATIES WITH LIKE-MINDED STATES CONCERNING ALL ISSUES IN THE LOS BUT HE SPECIFICALLY MENTIONED FISHERIES AND THE DEEP SEABED. HE DESCRIBED THESE LIMITED MEMBERSHIP TREATIES AS BEING SIMILAR TO THE FRENCH CONCEPT FOR A NEW ANTARTIC RESOURCE TREATY. THAT CONCEPT AS HE DESCRIBED IT WOULD BE THAT LIKE-MINDED STATES WOULD AGREE ON THE LEGAL REGIME AND MACHINERY FOR IMPLEMENTATION BUT OPEN BOTH THE TREATY AND THE RESOURCES TO ANY COUNTRY WHICH ACCEDED TO THE TREATY. HIS KEY POINT WAS THAT THE LIKE-MINDED STATES WOULD SET UP THE RULES OF THE GAME AND OTHERS COULD JOIN IF THEY WANTED TO PLAY BY THOSE RULES. IN RESPECT TO ANTARTICA HE SPECIFICALLY SAID THAT THE ORIGINAL MEMBER STATES WOULD HAVE FREE ACCESS TO ALL AREAS OF ANTARTICA INCLUDING THE TERRITORIAL CLAIMS OF OTHERS. HE DID NOT SAY WHETHER HIS GENERAL VIEWS WOULD BE THE SAME ON ACCESS TO THE RESOURCES IN ANTARTICA FOR STATES WHICH LATER ACCEDED TO THE NEW ANTARTIC RESOURCES TREATY.

3. DE LACHERIERRE SUGGESTED THAT AN APPROACH LIKE THIS IN THE DEEP SEABED MIGHT BE WORTH PURSUING AND WONDERED IF PERHAPS THE FIRST STEP MIGHT NOT BE TO DISCUSS THE MATTER AT THE GROUP OF FIVE MEETING SCHEDULED FOR TOKYO IN JULY, WITH A VIEW TOWARD INITIATING DISCUSSIONS IN THE OECD, HE SAID THAT AT FIRST IT COULD BE A GENERAL REVIEW OF LOS AND PERHAPS OUT OF SUCH DISCUSSIONS COULD EMERGE A PRE-PLANNED US/FRENCH APPROACH ALONG THE LINES DESCRIBED ON HOW SUCH OECD TALKS WOULD BE FOLLOWED UP, FOR EXAMPLE, WITH RESPECT TO FISHERIES. HE SAID THESE APPROACHES MIGHT THEN BE EXAMINED IN ICNAF AND WITH RESPECT TO DEEP SEABEDS. IT
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MIGHT BE NECESSARY TO ESTABLISH A SUI GENERIS GROUP WHICH WOULD INCLUDE THE SOVIET UNION. HE ALSO STATED THAT WHILE FRENCH POLICY WAS SOMEWHAT COOL TOWARD THE ATLANTIC ALLIANCE, THE FRENCH WERE STEADY SUPPORTERS OF OECD ACTIVITY.

4. THROUGHOUT THE CONVERSATION IT WAS CLEAR, AT TIMES EXPLICIT AND OTHER TIMES IMPLICIT, THAT DELACHERIERRE WAS PUTTING HIS IDEAS FORWARD AS A POSSIBLE ALTERNATIVE TO US UNILATERAL LEGISLATION IN BOTH FISHERIES AND

DEEP SEABED MATTERS, BUT WITH GREATEST EMPHASIS ON THE DEEP SEABED. HE WONDERED WHETHER IF SUCH AN APPROACH WERE BEING PURSUED IT WOULD NOT ADEQUATELY PROTECT US INTERESTS IN THE DEEP SEABED AND AT THE SAME TIME PROTECT US PUBLIC IMAGE FROM CRITICISM IF UNILATERAL APPROACH WERE ADOPTED.

5. RATINER REPLIED THAT HE WOULD FULLY REPORT DE LACHERIERRE'S VIEWS TO THIS DEL. HE INDICATED THAT IT WAS UNLIKELY IN THE DEEP SEABED AREA THAT THE US WOULD ACT PRECIPITOUSLY ALTHOUGH CONGRESS WAS LITTLE LESS PREDICTABLE THAN THE EXECUTIVE BRANCH. HE DID NOT ENCOURAGE OR DISCOURAGE THE IDEA OF AN OECD STUDY PENDING FURTHER GUIDANCE FROM HIS DEL AND INDICATED THAT IT MIGHT BE APPROPRIATE FOR THE FRENCH TO INDICATE THEIR VIEWS TO THE GROUP OF FIVE AT THE HEADS OF DEL MEETING IN TOKYO IN JULY. IF THIS WERE DONE THE US COULD THEN USE THE INTERVENING PERIOD TO CONSIDER THE FRENCH APPROACH. RATINER QUERIED WHETHER DELACHERIERRE WAS THINKING OF A SUBSTITUTE APPROACH TO THE LOS CONFERENCE OR A CONTINGENCY COMPANION APPROACH. DE LACHERIERRE SAID QTE FOR THE TIME BEING UNQTE THIS COULD BE THOUGHT OF AS A COMPANION TO THE LOS CONFERENCE WHICH WE, THE FRENCH, WOULD OF COURSE CONTINUE TO ATTEND AND WOULD NEGOTIATE IN GOOD FAITH. RATINER QUERIED WHETHER DE LACHERIERRE'S VIEWS PARTICULARLY WITH REGARD TO THE TAKING OF AN INITIATIVE IN THE OECD, REPRESENTED FRENCH GOVERNMENT POLICY. DE LACHERIERRE REPLIED THAT IT WAS HIS INTENTION TO SEEK THE APPROVAL OF THE FRENCH GOVT FOR AN APPROACH ALONG THESE LINES AFTER HIS RETURN TO PARIS.
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6. IT WAS CLEAR AT THE END OF THIS CONVERSATION THAT NEXT MOVE IS IN PARIS BUT US MIGHT EXPECT SIMILAR APPROACH AT HEADS OF DEL MEETING OF GROUP OF FIVE AND SHOULD BE PREPARED TO RESPOND. ABRAMS

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